

**NPDES Stormwater
Technical Advisory Committee (TAC)**

DRAFT REPORT OF MEETING

**TUESDAY, SEPTEMBER 14, 2010
10:00 A. M.
TOWN OF ATHERTON**

1. INTRODUCTIONS, ANNOUNCEMENTS, ADOPTION OF MINUTES, AND REVISION TO AGENDA
Self-introductions were made, and the August TAC meeting minutes were adopted as written.

There will be a new request for proposals available at the end of September from the San Francisco Bay Water Quality Improvement Fund. This is the source of federal funding for much of the PCBs and mercury work that BASMAA and its member agencies are performing. There will be a total of \$2 million available, and the amount available for any one project would be between \$500,000 and \$1,500,000. BASMAA will discuss a possible project.

Matt Fabry and Kevin Robert Perry spoke about green streets at the American Society of Landscape Architects conference. A couple of hundred people attended their session.

Representatives from the cities of Daly City, Redwood City, and South San Francisco were selected to complete EPA's nationwide survey about stormwater management including discharges from developed sites.

State legislation to reduce the amount of copper used in brake pads has been adopted by the legislature. If this legislation is signed by the governor, it will help the municipalities to meet the MRP's copper control requirements.

CASQA's quarterly meeting will be held on September 30 in Oakland. Meeting topics will include green streets and low impact development.

2. PRESENTATIONS

- a. Action Item: Approve Annual Report Submittals – The TAC members present voted unanimously to submit the Countywide Program portion of the FY 2009/10 Annual Report. In addition, the TAC members voted unanimously to submit by reference the two annual report regional supplements prepared by BASMAA (MRP Regional Supplement for POCs and Monitoring and MRP Regional Supplement for Training and Outreach). All of the TAC members who are duly authorized by their City/County Managers were present except for representatives from the cities of Hillsborough, Millbrae, Portola Valley, and San Bruno¹.
- b. Information about Proposition 26 (Stop Hidden Taxes): Information prepared by the League of California Cities about this proposition was discussed. The League opposes this proposition because of the many potential negative effects on local revenue raising authority. If adopted, this measure would amend the state constitution to limit the use of various fees, with some exceptions, unless approved by a two-thirds vote of the electorate. Rich Napier added that one of the requirements for using fees is that non-fee payers cannot have the same benefit as someone that pays the fee. The measure may affect the existing vehicle license fees used for congestion management and stormwater and other fees used to support stormwater and other environmental programs.
- c. Monitoring Results from Daly City Parking Lot Project – An article in the Estuary News about the Daly City parking lot project was included in the agenda packet. According to this article, the study conducted by Nicole David from the San Francisco Estuary Institute found that the rain gardens and parking lot swales constructed recently in front of the Serramonte Library reduced the amounts of pollutants in parking lot

¹ On September 13, 2010 Dave Bishop, Town of Hillsborough, and on September 14, 2010 Howard Young, Town of Portola Valley, and Robert Howard, City of San Bruno, sent emails to Matt Fabry approving the submittal of the Countywide Program portion and BASMAA's supplements to the annual report. In addition, on the morning of September 15, 2010 Ronald Popp, City of Millbrae, sent Matt Fabry an email authorizing these annual report submittals.

runoff. PCBs and mercury were reduced by about 40% and polycyclic aromatic hydrocarbons (PAHs) and heavy metals, such as copper, lead, and zinc, by about 80%. Ms. David will be on a panel at the CASQA meeting on September 30. The monitoring is funded by an Estuary Partnership grant provided by U.S. EPA.

- d. Water Board Enforcement – Fred Jarvis reviewed Water Board information about construction and municipal stormwater related enforcement actions as reported in their Executive Officer reports in July and August. The Water Board has increased the amount of enforcement that it has been doing since creating an enforcement section about two years ago. The majority of the enforcement cases involve the use of administrative civil liability, which results in the discharger paying fines, and in some cases implementing supplemental environmental projects for up to one-half of the proposed liability amount.
- e. Vehicle License Measure M on the November Ballot – C/CAG acting as the congestion management agency has put a \$10/year vehicle license fee measure on the November ballot. There are valid arguments for and against the measure. There is a lengthy list of supporters of the measure including the League of Voters; a labor group, Silicon Valley Leadership Group; and an environmental organization, Green Foothills.

If the measure passes, one-half of the funds will go to cities and each city would receive at least \$75,000/year. Cities would then be able to decide how much of the funds to use for congestion management and how much for stormwater. The measure has a 25 year sunset date.

There will be only two countywide measures on the ballot this fall. There will also be a state measure on the ballot to fund state parks using \$18/year vehicle license fee.

Regardless of whether Measure M passes, there will be a need to seek a Proposition 218-consistent stormwater election for a property associated stormwater fee increase. One of the undecided issues is whether the election should be city-by-city or countywide.

3. SUBCOMMITTEE REPORTS

- a. Public Information/Participation – The Subcommittee will meet next week on the date that the TAC normally meets.
- b. Commercial/Industrial and Illicit Discharge – The subcommittee will meet tomorrow.
- c. New Development – The next meeting will be during the beginning of October.
- d. Municipal Maintenance – Information about the August meeting was reviewed, and the meeting summary was included in the agenda packet.
- e. Trash Work Group – The work group will meet next on Sept. 22.
- f. Parks Maintenance and Integrated Pest Management Work Group – Information about the August meeting was reviewed, and the meeting summary was included in the agenda packet.
- g. Watershed Assessment and Monitoring – There needs to be a future meeting of this subcommittee to go over the monitoring that will be implemented.

4. PUBLIC COMMENTS - None.

5. NEXT MEETING

The next TAC meeting will be held on November 16. The location is still to be determined, but Cynthia Royer offered to host the meeting in Daly City if no one else volunteers.

6. ADJOURNED